

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DANIEL LEVIE,

Plaintiff,

v.

WASHINGTON MUTUAL BANK,
MORTGAGE ELECTRONIC
REGISTRATIONS SYSTEMS ("MERS");
JPMORGAN CHASE; NEVADA TITLE; et
al.,

Defendants.

Case No. 2:12-cv-00858-MMD-PAL

ORDER

Before the court are Defendant JPMorgan Chase Bank's motion to dismiss ("Motion") (dkt. no. 7), which Nevada Title Company joins (dkt. no. 13), and Plaintiff's Petition for Abatement (dkt. no. 15).

Plaintiff has failed to file a response to Defendant's Motion. Failure to file points and authorities in opposition to a motion constitutes consent that the motion be granted. L.R. 7-2(d); *see Abbott v. United Venture Capital, Inc.*, 718 F. Supp. 828, 831 (D. Nev. 1989). Moreover, the Court has reviewed Defendant's Motion and found the claims asserted in the complaint lack merits. On these grounds, the Court grants Defendant's Motion.

Plaintiff filed a document entitled "Petition for Abatement." The purpose of the Petition and the relief requested are not clear to the Court. Plaintiff noted "Order Dismissing Case" immediately below the title of the document. To the extent Plaintiff


1 meant for the Petition to serve as a response to Defendant's Motion, the Petition does
2 not offer any substantive response and based on the notation relating to dismissal,
3 Plaintiff appears to concede to dismissal. Plaintiff's Petition is therefore denied.

4 IT IS THEREFORE ORDERED that JP Morgan Chase Bank's motion to dismiss
5 is GRANTED.

6 IT IS FURTHER ORDERED that Plaintiff's Petition for Abatement is DENIED.

7 The Clerk is directed to close this case.

8 DATED THIS 21st day of August 2012.

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12 UNITED STATES DISTRICT JUDGE
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